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Paul T. Clark
CLARK & ELBING
176 Federal Street
Boston, MA 02110 2214

In re Application of
RUBIN, Lee L., et al.
U.S. Application No.: 09/355,004
PCT No.: PCT/US98/01322
International Filing Date: 22 January 1998
Priority Date: 22 January 1997
Attorney's Docket No.: 21559
For: *IN VIVO* APOPTOSIS SCREENING

DECISION ON RENEWED
PETITION UNDER 37 CFR
1.181

In a decision mailed on 13 July 2001, this Office dismissed applicants' petition to withdraw abandonment for failure to adequately demonstrate that the Notification Of Missing Requirements (Form PCT/DO/EO/905) mailed on 01 September 1999 was not received. On 24 July 2001, applicants filed the renewed petition considered herein. Taking into account the materials submitted with the renewed petition, specifically the copies of the relevant docket records, applicants have now satisfied all the requirements for demonstrating that the Notification Of Missing Requirements was not received.

Accordingly, applicants' petition is **GRANTED**.

The Notification Of Abandonment (Form PCT/DO/EO/909) mailed on 26 May 2000, based as it was on applicants' purported failure to timely respond to the Notification Of Missing Requirements, is hereby appropriately **VACATED**.

On 31 January 2001, applicants filed an executed declaration and the \$130 surcharge for filing the declaration after the thirty month deadline. The declaration is in compliance with 37 CFR 1.497.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for further processing. The 35 U.S.C. 371(c) date is 31 January 2001.

Leonard Smith
PCT Legal Examiner
PCT Legal Office

RMR/LS:rmr

Richard M. Ross
PCT Petitions Attorney
PCT Legal Office
Telephone: (703) 308-6155
Facsimile: (703) 308-6459